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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 CHERYL L. DILTZ,

11 Plaintiff,

12 v.

13 MICHAEL J. ASTRUE, Commissioner
of the Social Security Administration,

14 Defendant.
15

CASE NO. 11-cv-5192 BHS

REPORT AND RECOMMENDATION
ON STIPULATED MOTION FOR
REMAND

16 This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28
17 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by Mathews,
18 Secretary of H.E.W. v. Weber, 423 U.S. 261 (1976). This matter is before the Court on
19 Defendant's stipulated motion to remand the matter to the administration for further
20 consideration. (ECF No. 18.)

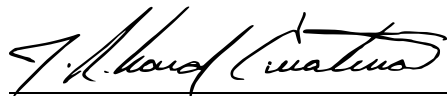
21 After reviewing Defendant's stipulated motion and the remaining record, the undersigned
22 recommends that the Court grant Defendant's motion, and reverse and remand this matter to the
23 administration for further consideration pursuant to sentence four of 42 U.S.C. § 405(g).
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1 On remand, based on the parties' stipulation, this Court recommends that the
2 Administrative Law Judge ("the ALJ"): (1) further evaluate and develop the medical opinions of
3 record; and, (2) further evaluate Plaintiff's residual functional capacity with reconsideration of
4 the medical record, additional medical evidence, and Plaintiff's subjective complaints and
5 credibility factors. The ALJ should hold a new hearing and this Court recommends that Plaintiff
6 be allowed to present new arguments and further medical evidence, if such evidence becomes
7 available. The ALJ should take any other actions necessary to develop the record.

8 Following proper presentation, the Court should consider Plaintiff's application for costs
9 and attorney's fees under 28 U.S.C. § 2412(d).

10 Given the facts and the parties' stipulation, the Court recommends that the District Judge
11 immediately approve this Report and Recommendation and order that the case be **REVERSED**
12 and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

13 Dated this 25th day of August, 2011.

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15 J. Richard Creatura
16 United States Magistrate Judge
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